

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
NORTHERN DIVISION**

**HERMAN DREW and wife,  
JOYCE DENISE DREW,**

**Plaintiffs,**

**VS.**

**WAL-MART, INC.,**

**Defendant.**

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**No. \_\_\_\_\_  
JURY DEMAND**

**NOTICE OF REMOVAL**

Defendant Wal-Mart, Inc. hereby gives notice of the removal pursuant to 28 U.S.C. § 1441 et. seq., of the following action filed against it: Herman Drew and wife, Joyce Denise Drew v. Wal-Mart, Inc., in the Circuit Court for Knox County, Tennessee, No. 1-371-20.

A copy of the summons is attached as Exhibit A. A copy of the complaint is attached as Exhibit B. Plaintiffs are citizens and residents of Anderson County, Tennessee.

Wal-Mart Stores East, LP, is the entity that operated the store on the date of this accident. Wal-Mart, Inc. is not a proper party to this action. Defendant may be referred to as “Wal-Mart” in this document. It is expected that Wal-Mart Stores East, LP, will be substituted as the proper defendant in this matter. Wal-Mart Stores, Inc., is a Delaware corporation.

Defendant Wal-Mart Stores East, LP, is a Delaware limited partnership. WSE Management, LLC, a Delaware limited liability company, is the general partner, and WSE Investment, LLC, a Delaware limited liability company, is the limited partner. The sole member of WSE Management, LLC, and WSE Investment, LLC, is Wal-Mart Stores East, LLC, fka Wal-Mart Stores East, Inc., an Arkansas limited liability company. Wal-Mart Stores East, Inc., was converted to an Arkansas limited liability company on January 25, 2011. The principal place of business for all entities

mentioned is 702 SW 8th Street, Bentonville, Arkansas.

Jurisdiction is conferred under 28 U.S.C. § 1332 relating to diversity of citizenship of the parties. The parties are citizens of different states.

The amount in controversy is in excess of the federal jurisdictional requisite of \$75,000. Plaintiff Herman Drew seeks “judgment against the defendant in a sum to be determined by a jury not to exceed THREE HUNDRED THOUSAND DOLLARS (\$300,000.00)”, and plaintiff Joyce Denise Drew seeks “judgment against the defendant in a sum to be determined by a jury not to exceed THIRTY THOUSAND DOLLARS (\$30,000.00).”

Defendant Wal-Mart was served with process on November 20, 2020. Fewer than thirty days have expired since service of process on Defendant. This Notice of Removal is timely filed as set forth in 28 U.S.C. § 1446(b).

WHEREFORE, Defendant hereby gives notice of the removal of this action pending in the Circuit Court of Knox County, Tennessee, to the United States District Court for the Eastern District of Tennessee, Northern Division, and requests that the proceedings be held thereon.

s/ Maria T. de Quesada  
G. Andrew Rowlett, No. 16277  
Maria T. de Quesada, No. 24389  
HOWELL & FISHER, PLLC  
3310 West End Avenue  
Suite 550  
Nashville, TN 37203  
(615)244-3370  
[arowlett@howell-fisher.com](mailto:arowlett@howell-fisher.com)  
[mdequesada@howell-fisher.com](mailto:mdequesada@howell-fisher.com)  
Attorneys for defendant

## **CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing was electronically filed with the Court and was served by U.S. Mail, postage prepaid, upon:

Adam M. Priest  
PRYOR, PRIEST, HARBER, FLOYD & COFFEY  
625 Gay Street, Suite 600  
P. O. Box 870  
Knoxville, TN 37901-0870  
[apriest@knoxvillelaw.com](mailto:apriest@knoxvillelaw.com)

this the 9<sup>th</sup> day of December, 2020.

/s/ Maria T. de Quesada